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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/728,995	12/05/2003	Bor-Wen Chan	24061.58 (TSMC2002-1399)	9115
42717	7590	12/02/2004	EXAMINER	
HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			HU, SHOUXIANG	
			ART UNIT	PAPER NUMBER
			2811	

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Non-responsive Election

1. The election filed on September 07, 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The above election fails to respond to the following requirements as set forth in the previous Office action:

(a) Further election of only one further-included gas for the elected fluorine-containing chemistry is required from distinctive gases of: chlorine-containing gas, and bromine-containing gas.

(b). Further election of only one oxygen-containing gas employed for the etching is required from distinctive oxygen-containing gases of: O₂, O₃, NO₂, CO₂, and CO.

(C). The election must also include a listing of all claims readable on the single species that is elected consonant with all the election/restriction requirements.

2. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

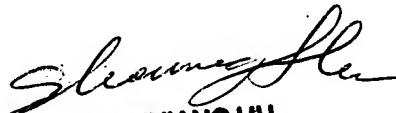
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shouxiang Hu whose telephone number is 571-272-1654. The examiner can normally be reached on Monday through Thursday, 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C. Lee can be reached on 571-272-1732. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SHOUXIANG HU
PRIMARY EXAMINER

SH
November 22, 2004